

## **REMARKS**

Applicants respectfully request reconsideration of the application as amended. Claims 16-27 are pending. Claims 16, 17 and 26 are amended.

### **I. General Considerations**

Applicants note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and the cited references. In addition, Applicants request that the Examiner carefully review any references discussed below to ensure that Applicants' understanding and discussion of the references, if any, is consistent with the Examiner's understanding.

Applicants also note that the remarks presented herein have been made merely to clarify the claimed embodiments from elements purported by the Examiner to be taught by the cited reference. Such remarks, or a lack of remarks, are not intended to constitute, and should not be construed as, an acquiescence, on the part of the Applicants: as to the purported teachings or prior art status of the cited references; as to the characterization of the cited references advanced by the Examiner; or as to any other assertions, allegations or characterizations made by the Examiner at any time in this case. Applicants reserve the right to challenge the purported teaching and prior art status of the cited references at any appropriate time.

### **II. REJECTIONS MADE BY THE EXAMINER**

#### **A. Rejection Under 35 U.S.C. §112**

Claims 16-25 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In response, Applicants have amended the claim to introduce structural limitations as requested by the Examiner. Furthermore, the claim language "driving a first charge" describes the function

of “a signal amplifier.” The amended claims are supported at least in part by Paragraph [0029] – [0032] and no new subject matter has been added. Applicants hereby request the §112 rejection be withdrawn in view of the amendment.

**B. Rejection Under 35 U.S.C. §103**

Claims 16-27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Setlak (U.S. Patent Number 5,963,679) in view of Bird et al. (U.S. Patent Number 6,108,438).

Applicants agree with the Examiner that Setlak does not teach a plurality of storage capacitors. However, Applicants respectfully traverse the Examiner’s reasoning for obviousness, specifically that the combined references do not teach or discloses each and every limitation set forth in the amended independent claims 16 and 26.

**1. Patentability of Amended Independent Claim 16 and 26**

The amended claim 16 recites:

A method, comprising:  
coupling a portion of a hand with a signal amplifier adjacent to a pixel array;  
capacitively coupling at least one finger with the pixel array,  
wherein the pixel array comprises:  
an insulator;  
a plurality of electrodes coupled to the insulators; and  
a plurality of storage capacitors, each of the plurality of storage capacitors coupled to a corresponding one of the plurality of electrodes;  
driving a first charge initiated from the signal amplifier, through the portion of the hand coupled with the signal amplifier, through at least one finger coupled with the insulator, into at least one of the plurality of storage capacitors.

Even if combined, Setlak and Bird et al. do not teach all of the limitations in amended claim 16. Setlak describes a fingerprint sensor having a conductive strip 54 around the dielectric layer 52; the conductive strip 54 is in contact with the portion of finger not containing finger print and the dielectric layer 52 is in contact with the portion of finger containing finger print

(shown in Fig. 7). Underneath the dielectric layer 52, a sensing electrode 78 is connected with an excitation drive 74 and on top of a drive electrode layer (or excitation electrode) 71 (Fig. 7). When sensing a finger print, excitation electrode 71 generates a first electric field to the sensing electrode 78 and a second electric field between the sensing electrode 78 and the surface of the finger 79 (Column 7, Lines 18-22). The method described in amended claim 16 is fundamentally different. Applicants note that there is a structural difference between claim 16 and Setlak. In Setlak, the excitation electrode 71 is underneath the dielectric layer 52 and integrated with the sensor instead of “adjacent” as described in claim 16. Further, in Setlak, the structure adjacent to the dielectric layer 52 (the conductive strip 54) does not generate any signal or electric field but is grounded by the virtue of connected to ground plane electrode layer 68 (Fig. 7). There is also a functional difference between claim 16 and Setlak. The structure(s) which generates electric fields in Setlak (excitation drive 74 and excitation electrode 71) sends electric fields directly to sensing electrode 78 and the surface of the finger 79 (Column 7, Lines 18-22), whereas in claim 16, the “first charge” travels through two distinct portions of hand (“through the portion of hand coupled with the signal amplifier” and “through at least one finger coupled with insulator”). As such, Applicant respectfully submits that the Examiner has failed to establish that the amended independent claim 16 is obvious in view of Setlak and Bird et al. because the Examiner has not established that each and every element as set forth in claim 16 are taught or disclosed in the combined references. The rejection to the amended independent claim 16 should be withdrawn.

The amended independent claim 26 recites an apparatus comprising “means for initiating and driving a first charge from a signal amplifier adjacent to the pixel array through a portion of a hand in contact with the signal amplifier, through the finger, into a first contact of at least one of the plurality of storage capacitors.” As amended, the independent claim 26 contains the similar limitation as in the amended independent claim 16. As such, the amended independent claim 26 is also not obvious in view of Setlak and Bird et al. as the above remarks have concluded, and should be allowed as least for the same reason as the amended independent claim 16.

**2. Patentability of the Dependent Claims Associated with Amended Independent Claims 16, and 26**

The dependent claims 17-25 and 27 were rejected under 35 U.S.C. 103(a) as being unpatentable over Setlak in view of Bird et al. Since the dependent claims 17-25 and 27 depend on the amended independent claims 16, and 26, each dependent claim includes all the limitations of the respective base claim. If the respective base claim is allowable as concluded by the remarks above, these dependent claims also are not obvious in view of the cited references as alleged in the Office Action. For the foregoing reason, Applicant respectfully submits that the dependent claims 17-25 and 27 should be allowed for at least the same reasons that their respective base independent claims 16, and 26 are allowable.

**B. Conclusion**

In view of foregoing, Applicants respectfully submit that each of the pending claims 16-27 is in condition for allowance. Therefore, reconsideration of the rejection is requested and allowance of these claims is earnestly solicited. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner's Amendment, the Examiner is requested to contact the undersigned attorney.

Dated this 22 of May, 2009.

Respectfully submitted,



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